

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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Danielle Rhodes and Juanterri Rhodes,

Case No. 2:23-cv-00023-GMN-DJA

Plaintiffs,

## Order

V.

State Farm Fire and Casualty Company; et al.,

## Defendants.

Plaintiffs' counsel—Paul D. Powell, Esq.; Tom W. Stewart, Esq.; and Traysen N. Turner, Esq. of the Powell Law Firm—have moved to withdraw their representation of Plaintiffs Danielle Rhodes and Juanterri Rhodes explaining that counsel and Plaintiffs have a disagreement regarding representation. (ECF No. 17). They further explain that discovery does not close until December 8, 2023, which gives Plaintiffs sufficient time to retain new counsel. (*Id.*). Plaintiffs have not responded to the motion to withdraw.

Under Local Rule (“LR”) IA 11-6(b), “[i]f an attorney seeks to withdraw after appearing in a case, the attorney must file a motion or stipulation and serve it on the affected client and opposing counsel.” LR IA 11-6(b). Under Local Rule 7-2(d) the failure of a party to oppose a motion constitutes that party’s consent to the granting of the motion. The Court finds that Plaintiffs’ counsel has met the requirements of LR IA 11-6(b). Plaintiffs have also not responded, constituting their consent to the granting of the motion.

**IT IS THEREFORE ORDERED** that Paul D. Powell, Esq.; Tom W. Stewart, Esq.; and Traysen N. Turner, Esq.'s motion to withdraw (ECF No. 17) is **granted**. The Clerk of Court is kindly directed to remove Paul D. Powell, Esq.; Tom W. Stewart, Esq.; and Traysen N. Turner, Esq. as counsel of record and from the electronic service list for this case.

**IT IS FURTHER ORDERED** that the Clerk of the Court shall add the last known address of Plaintiffs to the civil docket and send a copy of this order to Plaintiffs' last known address:

# Danielle Rhodes

## Juanterri Rhodes

2121 E. Capitol Drive

Milwaukee, Wisconsin 53211

**IT IS FURTHER ORDERED** that on or before **September 6, 2023**, Plaintiffs must file a status report with the Court indicating whether they will proceed in this action *pro se* or will retain counsel. Alternatively, if Plaintiffs obtain new counsel before September 6, 2023, their new counsel may file a notice of appearance in this case on or before **September 6, 2023** in lieu of a status report. **Failure to comply with this order may result in a recommendation to the district judge that this case be dismissed.**

DATED: August 7, 2023



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DANIEL J. ALBRECHTS  
UNITED STATES MAGISTRATE JUDGE